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21 UNITED STATES DISTRICT COURT  
22 NORTHERN DISTRICT OF CALIFORNIA

23 TERESA MACCLELLAND, *Et Al.*,  
24 For Themselves, As Private Attorneys  
25 General, and On Behalf Of All Others  
26 Similarly Situated,

27 Plaintiffs,

28 v.

CELLCO PARTNERSHIP D/B/A VERIZON  
WIRELESS; and  
VERIZON COMMUNICATIONS INC.,

Defendants.

Case No. 3:21-cv-08592-EMC

**PLAINTIFFS' OPPOSITION TO  
VERIZON'S REQUEST FOR LEAVE TO  
FILE SUPPLEMENTAL BRIEF**

[Hon. Edward M. Chen]

**OPPOSITION**

Plaintiffs Teresa MacClelland, *Et Al.* (the “Plaintiffs”), request that the Court deny the Request For Leave To File Supplemental Brief (Dkt. No. 47) filed by Defendant Cellco Partnership d/b/a Verizon Wireless and Defendant Verizon Communications Inc. (collectively, “Verizon”).

The decision in *Viking River Cruises, Inc. v. Moriana*, No. 20-1573, 2022 WL 2135491 (U.S. June 15, 2022), speaks for itself. This Court can plainly see that the holding and principles in *Viking River* do not invalidate the *McGill* Rule or Plaintiffs’ requested application of the *McGill* Rule in this case. In any event, the provision of Verizon’s Wireless Customer Service Agreement that violates the *McGill* Rule is only one of many unconscionable provisions that permeate the customer agreement.

Dated: June 22, 2022

Respectfully submitted,

HATTIS & LUKACS

By: /s/ Daniel M. Hattis

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